UNITED
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S/24767
5 November 1992

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 781 (1992)

I. INTRODUCTION

1. In paragraph 1 of its resolution 781 (1992), the Security Council decided to establish a ban on military flights in the airspace of Bosnia and Herzegovina, which would not apply to United Nations Protection Force (UNPROFOR) flights or to other flights in support of United Nations operations, including humanitarian assistance. In paragraph 2 of that resolution, the Security Council requested UNPROFOR "to monitor compliance with the ban on military flights, including the placement of observers where necessary at air fields in the territory of the former Yugoslavia". In paragraph 3 the Security Council further requested UNPROFOR "to ensure, through an appropriate mechanism for approval and inspection, that the purpose of flights to and from Bosnia and Herzegovina other than those banned is consistent with Security Council resolutions". In paragraph 5 of the same resolution, the Security Council called upon States to take nationally, or through regional agencies or arrangements, all measures necessary to provide assistance to UNPROFOR, based on technical monitoring and other capabilities, for the purposes of paragraph 2 of the resolution. The present report is submitted in order to inform the Security Council of the measures recommended or already taken to implement that resolution.

II. CONCEPT OF OPERATIONS

2. In order to monitor compliance with the ban on military flights in the airspace of Bosnia and Herzegovina and to approve and inspect non-military flights to and from that Republic, UNPROFOR has developed a concept that combines the deployment of military observers at selected airfields with information obtained from technical sources.

3. The concept includes the following elements:

(a) A Monitoring Coordination and Control Centre (MCCC), which has already been established at UNPROFOR headquarters in Zagreb, will be responsible for all UNPROFOR activities arising from resolution 781 (1992);

(b) All flights, whether of fixed or rotary-wing aircraft, using the airspace of Bosnia and Herzegovina will be required to obtain prior approval from MCCC. The United Nations High Commissioner for Refugees (UNHCR) has attached liaison personnel to MCCC for the clearance of humanitarian assistance flights. UNPROFOR is currently establishing guidelines as to what categories of non-military flights, other than those for humanitarian assistance, will be permitted in accordance with the provisions of resolution 781 (1992);

(c) All flights with destinations in Bosnia and Herzegovina will be required to depart from Belgrade, Zagreb or Split, where they will be inspected. The last-named airfield will be reserved for humanitarian assistance flights, which will be inspected by UNHCR. Inspections in Belgrade will be undertaken by UNPROFOR civilian police. Inspections in Zagreb will be the responsibility of the European Community Monitoring Mission (ECMM), it having been agreed with the presidency of the European Community that in matters relating to resolution 781 (1992) the ECMM will be tasked by and report to UNPROFOR;

(d) Teams of up to five observers each will be deployed at the following 13 airfields in Croatia, Bosnia and Herzegovina, and the Federal Republic of Yugoslavia (Serbia and Montenegro):

Croatia

Pula
Split
Varazdin
Zagreb

Bosnia and Herzegovina

Banja Luka (two airfields)
Cazin
Tuzla

Federal Republic of Yugoslavia (Serbia and Montenegro)

Batajnica
Kraljevo
Podgorica
Pristina
Surcin

The observers at Pula, Split and Varazdin will be provided by ECMM. At Zagreb and the airfields in Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro) the task will be undertaken by UNPROFOR military observers. The Federal Republic of Yugoslavia (Serbia and Montenegro) has also accepted the extension of UNPROFOR monitoring to the Nis, Ponikve and Berane airfields, as well as to other airfields to which UNPROFOR might seek access from the General Staff of the Yugoslav Armed Forces;

(e) The observer teams will monitor all flight movements at the airfields concerned and inspect on arrival and departure aircraft whose flights into or out of Bosnia and Herzegovina have been approved by UNPROFOR. They will also have a mobile component and may be deployed to other airfields if it becomes known that these are being used for flights into or out of Bosnia and Herzegovina;

(f) In accordance with paragraph 5 of Security Council resolution 781 (1992), technical monitoring information is being made available to MCCC by the North Atlantic Treaty Organization (NATO). All flights detected over Bosnia and Herzegovina will be notified to MCCC, which will verify that all have been approved by UNPROFOR. Any non-approved flights will be reported to the Security Council.

4. In order to meet the immediate requirements of Security Council resolution 781 (1992) without delay, 30 military observers have been temporarily redeployed from four existing peace-keeping operations (United Nations Mission for the Referendum in Western Sahara, United Nations Observer Mission in El Salvador, United Nations Military Observer Group in India and Pakistan and United Nations Truce Supervision Organization in Palestine). The measures described above thus became operational to a limited extent as of 31 October 1992.

5. The Force Commander of UNPROFOR estimates that 75 additional military observers, with air-force and/or air-defence experience, including 25 specialists with pilot and/or air traffic controller qualifications, will be required, together with the necessary vehicles and communications equipment. In addition, three or four officers will be required for MCCC in Zagreb. As soon as these additional personnel have been deployed to the mission area, the 30 military observers temporarily deployed will be returned to their parent missions.

III. COOPERATION OF THE PARTIES

6. The cooperation of the parties concerned is essential for the successful implementation of resolution 781 (1992). On 30 September 1992, in paragraph 7 of a Joint Declaration signed by the President of the Republic of Croatia, Mr. Franjo Tudjman, and the President of the Federal Republic of Yugoslavia, Mr. Dobrica Cosic, the two Presidents welcomed the early stationing of international observers on airfields in their respective countries as a confidence-building measure. On 10 October 1992, at the Working Group on Confidence and Security-Building and Verification Measures of the International Conference on the Former Yugoslavia at Geneva, representatives of the two Governments confirmed the above declaration and agreed on certain practical aspects of the deployment of ECMM and UNPROFOR military observers at airfields in their countries.

7. At a meeting on 13 October with Lord Owen, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Radovan Karadzic, leader of the Bosnian Serbs, agreed to remove all Bosnian Serb combat aircraft from Banja Luka airfield to the Federal Republic of Yugoslavia (Serbia and Montenegro) as a sign of his delegation's desire to facilitate the implementation of resolution 781 (1992). Prime Minister Panic of the Federal Republic of Yugoslavia (Serbia and Montenegro) agreed to accept these aircraft at airfields at which UNPROFOR military observers would be deployed. In a letter to the Secretary-General dated 16 October 1992, the Prime Minister confirmed his willingness to receive the aircraft concerned (S/24698).

8. In a letter to the President of the Security Council dated 21 October, the Permanent Representative of Croatia to the United Nations expressed the concern of his Government that a transfer of the aircraft from Banja Luka to airfields in the Federal Republic of Yugoslavia (Serbia and Montenegro) could violate the provisions of Security Council resolutions 724 (1992) and 757 (1992). The letter also stated the understanding of the Government of Croatia that a transfer of the aircraft from Banja Luka could not limit its rights and those of other successor states regarding the property of the former Yugoslavia (S/24693). Subsequently, Mr. Karadzic withdrew from his earlier agreement to relocate the aircraft. However, at a meeting on 28 October with the co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Karadzic conveyed assurances that the aircraft concerned were grounded in Banja Luka and would not be flown.

9. UNPROFOR has concluded agreements with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) (31 October 1992) and those of Croatia (1 November 1992) regarding operational arrangements for the deployment of the military observers on the airfields in those countries. The agreements provide, inter alia, for access to the airfield flight control systems and for the utilization of all relevant data; observation of preparations for and performance of the flying missions of aircraft at the requested airfields; and inspection of all aircraft whose flights have been authorized by UNPROFOR. As regards Bosnia and Herzegovina, similar agreements have been signed by UNPROFOR in Geneva on 3 November 1992 with the Foreign Minister of the Republic of Bosnia and Herzegovina, Mr. Haris Silajdzic, granting UNPROFOR unrestricted access to airfields in the Republic, and separately with Mr. Karadzic in respect of the two airfields in the Banja Luka area. The agreements cover both fixed-wing and rotary-wing aircraft.

IV. OBSERVATIONS

10. I believe that the concept described in the present report will permit effective and cost-efficient implementation of Security Council resolution 781 (1992). Preliminary estimates of the additional costs to the United Nations will appear separately in an addendum to the present report. I accordingly recommend that the Security Council approve the necessary expansion of UNPROFOR's strength on the basis of the plan described above.

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FURTHER REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 781 (1992)

Addendum

1. In my report of 5 November 1992 1/ to the Security Council, I indicated in paragraph 10 that the preliminary estimates of the additional costs to the United Nations arising from the proposal to enlarge the mandate and strength of the United Nations Protection Force (UNPROFOR) would appear separately as an addendum.

2. The additional responsibilities to be undertaken by UNPROFOR are indicated in paragraph 3 of the main report and the proposed increase in its strength is set out in paragraph 5.

3. It is estimated that the cost associated with the additional responsibilities to monitor compliance with the ban on military flights in the airspace of Bosnia and Herzegovina and to approve and inspect non-military flights to and from that Republic would amount to some $4,485,000 for the six-month period from 1 November 1992 to 30 April 1993. It is further estimated that the monthly cost thereafter will be approximately $520,000. A breakdown of the estimated cost for the first six-month period, by main categories of expenditure, is provided for information purposes in the annex to the present addendum.

4. It would be my recommendation to the General Assembly, should the Security Council decide to approve the proposed course of action and enlarge the mandate and strength of UNPROFOR, that the additional cost relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to the UNPROFOR Special Account.

Notes

1/ S/24767.

Annex

Cost estimate for the enlargement of UNPROFOR

(Thousands of United States dollars)

		Initial six months
1.	Military observers	1 847
2.	Civilian staff costs a/	546
3.	Premises - rental and maintenance	54
4.	Transport operations	929
5.	Communications	781
6.	Miscellaneous equipment	234
7.	Miscellaneous supplies, services, freight and support costs	94
	Total	4 485

a/ Provides for 6 international staff and 20 locally recruited staff.

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LETTER DATED 5 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In compliance with paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of resolution 780 (1992), I have the honour to transmit to you herewith the information gathered by the French authorities concerning violations of humanitarian law, including grave breaches of the Geneva Conventions, committed in the territory of the former Yugoslavia.

This information was gathered partly in Zagreb and partly in Belgrade. That coming from Zagreb was provided by victims of the incidents or by European observers who conducted investigations or gathered testimony. That coming from Belgrade was drawn largely from the press or from military or church sources and is less detailed.

I am communicating the same information to the Secretary-General of the United Nations.

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(Signed) Jean-Bernard MERIMEE

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Annex

Information transmitted by France to the Security Council in compliance with paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of resolution 780 (1992)

The Security Council, by its resolution 771 (1992) of 13 August 1992, called upon States to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council. By its resolution 780 (1992) of 6 October 1992, it reaffirmed its call and requested that the information should be made available to the Commission of Experts which it had established

The information transmitted to the Security Council was gathered partly in Zagreb and partly in Belgrade. That coming from Zagreb was provided by victims of the incidents or by European observers who conducted investigations or gathered testimony. That coming from Belgrade was drawn largely from the press or from military or church sources and is less detailed. It therefore appeared preferable not to mix these two sets of information.

The information has been grouped by republic (Bosnia and Herzegovina, Croatia, Serbia) and by geographical area. Since the testimony in fact substantiates violations of humanitarian law of various categories committed at the same time, it was felt preferable for an understanding of the events to classify them not by category but by region.

The accounts thus testify to a process: occupation and destruction of a village, execution of some of the inhabitants, transfer of the others to camps where they are subjected to maltreatment and to very harsh conditions of detention, elimination of the most influential, and possible release or exchange of the others on condition that they abandon their property and declare that they will not return to their village. This process generally takes place in the context of a policy of ethnic cleansing.

Although the information transmitted has been carefully scrutinized, it should be cross-checked, verified and supplemented. Traces of the massacres and the camps must exist and the refugees can add their testimony.

It seemed preferable at this stage not to communicate the names of the witnesses or victims, or of any possible guilty parties. These details will be placed at the disposal of the Commission of Experts entrusted with investigating these crimes.

France will transmit to the Security Council and to the Commission of Experts any new piece of information communicated to it concerning violations of humanitarian law in the territory of the former Yugoslavia.

I. Information gathered at Zagreb

BOSNIA AND HERZEGOVINA

Villages of Kosterjevo and Drinjača, Zvornik municipality (to the north-east of Sarajevo), May 1992.

Statement by a Muslim inhabitant of Kosterjevo:

The village was totally destroyed. The women were raped. The inhabitants were then taken to Drinjača. The men were beaten and 35 of them executed. The women were again raped and then taken, together with boys aged under 15, off towards Zvornik. No one knows what became of them.

On 31 May, 150 women and children were taken off in two buses in the direction of Tuzla.

A list of 35 victims, aged between 17 and 70, follows.

The witness accuses the Chetniks and gives the names of three of their leaders.

Zaklopaca (near Vlasenica, to the north-east of Sarajevo), 16 May 1992.

Statements by five women from the same family and belonging to a group of some 50 women and children who were the only survivors of the massacre of the inhabitants of Zaklopača. The women are now refugees at Zagreb:

They give the names of 85 victims, including women and very young children who were shot dead with rifles or automatic weapons. Their bodies were allegedly buried together with those of the inhabitants of neighbouring villages. They mention no torture or ill-treatment.

The massacre was allegedly carried out by Chetniks who were looking for weapons. The names of some of them are given.

During their flight, they heard that the village of Drum had been burned and that the inhabitants of Dzamdzici had been executed.

Region of Kotor Varoš (to the south-east of Banja Luka), June 1992.

Statement by an inhabitant of Kotor Varoš, of Croatian origin:

On 11 June, Kotor Varoš was occupied by Serbian regular forces (JOS) from Banja Luka and Knin, together with Serbian paramilitary forces. Talks initiated several months previously to have Kotor Varoš attached to the Serbian Republic of Bosnia had failed.

On 12 June, the Muslim village of Hvacani was razed to the ground by artillery. Its inhabitants fled and the witness does not know what became of them.

The Croatian village of Bilice was also razed to the ground and 12 of its inhabitants allegedly killed.

During the occupation of Kotor Varoš, which lasted for several days, over 500 people were allegedly executed, according to estimates made by inhabitants responsible for burying the bodies. There are reported to be a large number of mass graves at Donji Varos and Vrbanjci.

The inhabitants of Večići fought back and allegedly killed 52 Serbian soldiers with the assistance of the inhabitants of Vrbanjci. All the inhabitants of the latter village were allegedly later executed.

On 13 June, Večići and Visevice were bombed by the federal army air force (JOS) who used toxic and scatter bombs, killing many inhabitants.

Part of the town of Kotoriste was allegedly destroyed by incendiary grenades and its inhabitants interrogated about their possession of weapons.

At least a hundred men from the region of Kotor Varoš were rounded up at the "Brtstvo Jedinstvo" primary school. At least one of them died as a result of the brutal treatment they suffered.

Many people were transported to Banja Luka prison and to Maslovare camp.

The witness names some of the victims, as well as those responsible for the ill-treatment.

Statement by a Muslim inhabitant:

He confirms the arrival of special forces on 11 June. He gives the date of the burials of the persons executed as approximately 20 June; the burials allegedly lasted for two days, with vehicles (tractor-drawn trailers?) bringing bodies "every five minutes".

He mentions the destruction of Rijevci, Vrbanjci and Harvacane.

The young men were arrested, the others were offered the choice of emigrating "if they had committed no offence against the Serbian Republic". They had to pay DM 35 and hand over their property.

A third testimony presents the events as a long-prepared takeover by the Serbs, because the town's population refused to allow it to be attached to Krajina:

Serbian men aged from 18 to 60 were allegedly forcibly conscripted. The "special forces" from Banja Luka were allegedly responsible for all the crimes committed, while the units of the Serbian army from Krajina (the former JNA) were posted around the town. According to the witness, returnees from the Croatian front, who were inhabitants of Burce and who were illegally wearing the uniform of JOS, spread terror.

Starting on 11 July, the first people were allowed to leave in exchange for giving up their property and promising not to return. Over 300 people allegedly left the town in this manner.

Between 300 and 400 men aged from 18 to 40 are allegedly prisoners.

Stara Gradiška and Manjača camps, May to July 1992

Testimony of a prisoner, a 23-year-old worker exchanged in July 1992, who states that he was beaten daily during his internment from 12 May to 12 June at Stara Gradiška and from 12 June to 17 July at Manjača. He is suffering from serious respiratory problems, as his pulmonary pleura was punctured.

Omarska and Manjača camps, June to August 1992

Testimony of an imprisoned priest:

After being subjected to repeated intimidation, he was taken on 16 June to Kereterm, where he was beaten, and from there, on the following day, to Omarska. He was subjected to beatings from the moment of his arrival and incarcerated in one of the rooms of the so-called "White House", where torture and executions were carried out. Twenty prisoners, all injured and some with broken limbs, were crammed into this 4 x 2 metre space. Deprived of water, they were forced to drink their urine.

The witness's condition was such that he remained unconscious for several days, before rejoining most of the 2,500 other prisoners. They spent the nights crammed 100 to a room, and the days lying face-down on the road, the guards trampling on anyone who moved. Many of them died in this place.

The ill-treatment worsened when the guards were drunk.

Every night, between 10 and 15 men were taken away and executed. It is alleged that 1,300 prisoners, mostly intellectuals, died.

The witness was tortured to make him denounce "extremists" from his village and admit that lorries delivering food for Caritas Internationalis were transporting arms.

On 6 August, the prisoners were divided into 2 groups and 30 buses arrived from Prijedor to transport them to Manjača camp. The witness was placed, together with 97 other persons, in a bus with tightly sealed windows. The passengers were given no water and only those who drank their urine survived.

At Manjaca, the prisoners were accorded better treatment, particularly after the visit by the International Committee of the Red Cross (ICRC).

The witness was released on 27 August.

Prijedor (to the north-west of Banja Luka), May to July 1992

Testimony of a woman doctor, gathered by the Group responsible for gathering evidence of war crimes, attached to the office of the Bosnia and Herzegovina Government at Zagreb:

According to a guard at Omarska, formerly a neighbour of the family, all the prominent citizens of Prijedor, such as doctors, lawyers and judges, are imprisoned in the town. His own father has been imprisoned since 23 May. Executions are being carried out.

All the Muslims and Croats of Prijedor were deported after the Yugoslav armed forces entered the town.

On 1 July, a group of prisoners from Omarska were transferred to Trnopolje. There, as many as five children die every day, primarily from diarrhoea, because of the lack of water.

Appended is a list of the names of some 50 internees.

Kozarac region (to the north-west of Banja Luka), May 1992, Omarska and Trnopolje camps

Testimony of a Muslim doctor aged 28, from Kozarac, interviewed at Karlovac in Croatia, after his evacuation from Trnopolje camp:

On 24 May, Serbian forces began an artillery bombardment which lasted two days and killed 300 people.

Following the bombardment, Serbian commandos reportedly penetrated the town, finishing off the wounded and killing 700 people with grenades or sub-machine guns, including women and children. Most of the bodies were left where they were or thrown into the Omarska iron mine.

The persons responsible for these massacres have been identified.

On 27 May, three columns of 300 people, mostly women and children, were lined up on the outskirts of Kozarac. A tank standing 150 metres away fired into the midst of the crowd, killing about 60 people. The wounded were finished off.

The Muslim survivors from the district were interned in Omarska camp, which had 8,000 detainees, and Trnopolje camp, in which 6,000 women and children were detained.

The worst excesses took place at night, when the regular guard was relieved by special militias called "Red Serbs". Every night there were shootings, in which men and women were killed indiscriminately, and women were raped. About 15 people were executed every day.

Following the evacuation of Trnopolje camp by ICRC and the Office of the United Nations High Commissioner for Refugees (UNHCR) on 1 October, a further 1,500 people turned up at the camp, believing that it was being used as a transit centre, and were then detained there in the same conditions. The names of the main perpetrators of these massacres are listed.

Kereterm (suburb of Prijedor), May 1992

Testimony of a doctor from Kozarac:

On about 30 May, 500 Bosnian men were confined in a disused factory in Kereterm. One night, 150 of them were allegedly machine-gunned. Forty wounded men allegedly disappeared. The survivors were transferred to Trnopolje.

Vlasic (Travnik region, to the north-west of Sarajevo), August 1992

Testimony of a doctor from Kozarac:

On 21 August, the guards at Trnopolje camp announced the transfer to Travnik of certain prisoners. Two hundred people, including 50 to 70 women and children, rushed to board the four buses provided for that purpose. Two of these buses stopped at Vlasic and their passengers were executed in small groups, outside the bus, by sub-machine gun fire. A dozen managed to escape.

Bosanski Brod, October 1992

Eight hundred Croats and Muslims are believed to have remained in the town after its fall, while 7,000-8,000 took refuge in Croatia. It is alleged that the Serbs are carrying out executions in the town, but the reports have not been confirmed.

Violence against women

Many depositions testify to sexual violence and humiliation suffered by women, usually Muslims. These acts are part of a deliberate attempt to undermine the women's dignity. The women are generally released afterwards, sometimes when they are pregnant.

The following places of detention have been indicated: Visegrad (in hotels), Brezovi Polje (Brcko district), Petkovica, Bosanska Dubica, Jesenca (near Bosanska Krupa), Kemengrad (near Sanski Most), Sekovici (near Tuzla), Vracan, Svrake (Vogosca quarter) and also in the vicinity of Kotor Varoš, Bihac (Ripac village) and Prijedor (Tescic village).

CROATIA

Vicinity of Podravska Slatina (Virovitica region), mid-December 1991

Findings of a French officer, a member of the European Community Monitoring Commission:

Hum village: several houses burned, five people killed; the bodies removed.

Vocin village: 24 corpses of men and women, mostly old people, killed by a bullet in the head or by an automatic weapon, or with their throats cut, in their houses or nearby. The younger people had been tortured before their death (eyes or teeth torn out, nose or ears cut off).

Almost all the houses, the hospital and the church have been destroyed.

A Chetnik flag was found nearby. The Croatian troops reached Vocin on 15 December. The information about these massacres dates from 14 December.

A religious ceremony was held at Podravska Slatina with the Bishop of Zagreb in attendance. A list of victims is said to exist.

A number of people are said to have disappeared.

Vukovar, 20 November 1991

Testimony of the doctor in charge of the hospital:

After taking possession of the town, Serbian troops rounded up 2,823 civilians who were marched in a column to camps, collective farms for the most part, located on the left bank of the Danube.

The 277 people in the hospital (180 wounded, 45 sick civilians and refugees, 43 members of the hospital staff) were taken by lorry to unknown destinations.

Some of the 3,100 people who disappeared from Vukovar are being detained, according to their families, in disused coal mines in Vojvodina. Others are being kept at farms in the vicinity of Vukovar. Some have been executed.

II. Information gathered at Belgrade

(The source of this information is indicated in brackets)

BOSNIA AND HERZEGOVINA

Sijekovac (vicinity of Bosanski Brod), 28 March 1992

Murder of five Serbian families.

(Yugoslav Red Cross)

Kupres, 14 April 1992

Two mass graves with 54 bodies of Serbs killed by Croatian units.

(Banja Luka corps command)

Bosanska Gjela, 14 June 1992

Murder of 23 Serbs and burning of houses.

(Novi Sad TV)

Vicinity of Bosanski Brod, 19 June 1992

Murder and rape, particularly in Sijekovac village.

(Press)

Bradina (vicinity of Konjic), 28 June 1992

Murder of part of the population by Croatian/Muslim units.

(Orthodox Church)

Tasovcici, Klepci and Pilles, 2 July 1992

About 15 Serbs killed.

(Refugees cited by TANJUG)

Dretelj (near Capljina, camp for Serbs), 17 July 1992

Serbs tortured, prisoners beaten and tortured, 20 women raped by Croats.

(Two prisoners and the information service of the Herzegovina military corps)

Bogodol and Goranci (on the Neretva), 3 August 1992

Inhabitants expelled by Croatian forces.

(Local Red Cross)

Pozarnica, 15 August 1992

Sixteen Serbs killed after having been used as "living shields" in the territorial defence forces of Bosnia and Herzegovina.

(Church)

Unkovici, Kolakovici, Osija, Vujinovici, Rudjica (vicinity of Kalinovik), 16 August 1992

Burning of five Serbian villages, murder of several villagers.

(Serbian army of Bosnia)

Zivinice and Tuzla, 27 August 1992

Serbs tortured, beaten; rapes.

(Serbian Orthodox Church)

Stupari, Banovici, Kladanj and Tuzla camps, 27 August 1992

Torture.

(Orthodox Church)

Mostar, 31 August 1992

Discovery of mass graves with 200 civilians, mostly Muslims, killed by Serbian irregular forces.

(Reuters, Borba)

Gorazde, 4 September 1992

Shots fired at buses during the flight of the Serbian civilian population; 21 killed.

(One of the bus passengers)

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LETTER DATED 2 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The purpose of this communication is to reiterate the concern of the Government of Venezuela about the grave humanitarian situation in the Republic of Bosnia and Herzegovina involving violations of human rights and disregard of the dispositions of the Security Council by various factions operating in the territory of that country.

I wish in particular to repeat the proposal which Venezuela made during the informal consultations in the Council that it would be useful for the Council to receive constantly updated information from the Secretariat to enable it to assess the reports it receives of violations of resolution 781 (1992) banning military flights in the airspace of the Republic of Bosnia and Herzegovina. Venezuela believes that such reports should be verified and that, if their accuracy is independently verified, the measures envisaged in the resolution should be put into effect. Venezuela cannot associate itself - and it wishes to place this fact on record - with a failure to act which may compromise the objectivity of the Security Council or the credibility of its decisions.

In this context, we note that the Council requested its President to convey to the Secretary-General its concern to prevent such a perception arising simply because the Council is not being constantly furnished with the latest information, for that would certainly damage its capacity to discharge its weighty responsibilities both in this case and in other similar situations. I should be grateful if you would have this communication circulated as a document of the Security Council.

(Signed) Diego ARRIA
Permanent Representative

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LETTER DATED 6 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit, enclosed herewith, a letter from the Vice-President of the Government of the Republic of Croatia dated 5 November 1992, submitting the relevant documents* in accordance with the relevant provisions of Security Council resolutions 771 (1992) and 780 (1991).

I kindly request your assistance in distributing this letter and its annex as a document of the Security Council.

(Signed) Ambassador Dr. Mario NOBILO
Permanent Representative

* The documents may be consulted in room S-3520.

Annex

Letter dated 5 November 1992 from the Vice-President of the Government of the Republic of Croatia addressed to the President of the Security Council

Acting on behalf of the Government of the Republic of Croatia, I have the honour to enclose the report of the Republic of Croatia to the United Nations Security Council pursuant to paragraph 5 of resolution 771 (1992) and paragraph 1 of resolution 780 (1992).

1. By paragraph 5 of Security Council resolution 771 (1992) of 13 August 1992, the Council called upon States and humanitarian organizations to collate information about the grave breaches of the Geneva Conventions and humanitarian law in the territory of the former Yugoslavia.

By paragraph 1 of Security Council resolution 780 (1992) of 5 October 1992, inter alia, the Council's call upon the international community, States and humanitarian organizations was repeated and confirmed to collate all information in their possession relating to grave breaches of the Geneva Conventions and humanitarian law in the territory of the former Yugoslavia, with the time for the delivery.

By paragraph 2 of Security Council resolution 780 (1992), the establishment of the Commission of independent experts is foreseen to investigate and analyse given data. The United Nations War Crimes Commission to which the documents collected in accordance with paragraphs 5 and 1 of Security Council resolutions 771 (1992) and 780 (1992) are to be directed, was, according to the official statement, appointed on 23 October 1992.

The Government of the Republic of Croatia, at the session held on 22 November 1991, stated the Proposition for establishing the international court for war crimes, by which the Government proposes to the United Nations, the European Community (EC) and the Conference on Security and Cooperation in Europe (CSCE), as well as to Governments of Member States, to establish the permanent international court for war crimes and other crimes against humanity and international law.

The Government of the Republic of Croatia therefore highly appreciates today's efforts of the international organizations for the inception of such international tribunals: the European Council (Report of the Parliamentary Assembly, document 6587 of 26 March 1992), the United Nations Commission on Human Rights Special Rapporteur, Mr. Tadeusz Mazowiecki (Report pursuant to paragraph 14 of resolution 1992/S-1/1 of 14 August 1992), Commission of the Group of Rapporteurs under the Moscow (Human Dimension) Mechanism to Croatia (Corell-Türk-Thune, 30 September to 5 October, of 7 October 1992) and the standpoints of the European Community stated at the London summit.

On behalf of the Government of the Republic of Croatia, I express deep gratitude to you and the United Nations for appointing the United Nations War Crimes Commission headed by respected Professor Fritz Karlshoven.

The Republic of Croatia will secure all prerequisites for visits of expert missions of States and international organizations, access to documents and witnesses, to determine relevant facts on the whole of its territory.

2. Since the beginning of the hostilities, the Republic of Croatia has been meeting requests of the international community leading to a peaceful and political solution of the crisis and the war. The Republic of Croatia is an active participant of all processes and efforts of international and regional organizations leading to peace. The Republic of Croatia has enabled the representatives of States, special report missions of the United Nations, EC and CSCE, to have direct access to facts, statements and processes which are a part of aggression or its consequences.

The Republic of Croatia expediently and without complaint carried out adaptation of its legislation and legal system to the contemporary legal and general achievements of civilization. National minorities are fully protected. The Croatian Parliament passed the Law on abolition of criminal prosecution for criminal acts committed in the war against the Republic of Croatia, at the same time reserving the right for its judicial bodies only to prosecute acts and perpetrators as the Republic of Croatia is mandated to prosecute under the provisions of international law.

Thereby the Republic of Croatia gives its full support to the compliance with decisions of United Nations Security Council resolution 762 (1992), the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, and United Nations General Assembly resolution 3074 (XXVIII) of 3 December 1973, which establishes principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.

3. The Government of the Republic of Croatia has systematically drawn the attention of the European and world public to the grave breaches of Geneva Conventions and violations of humanitarian law on the part of the aggressor. Proceeding on events and perpetrators defined by place, time, legal and medical qualifications, we also refer to the data which have already been sent to the United Nations Security Council (the letter of the Government's Commission for the United Nations Protection Force (UNPROFOR) of 19 August 1992, pursuant to paragraph 5 of resolution 771 (1992); the book Mass Killing and Genocide in Croatia, 1991-1992: a book of evidence).

The Government of the Republic of Croatia has delivered its answers and commentaries upon the request of the United Nations Commission on Human Rights (in accordance with paragraph 1 of the Commission for Human Rights decision in the preparation of the Commission's session to be held between 2 and 4 November 1992) and the CSCE office for Democratic Institutions and Human Rights (in accordance with the Report of the Corell-Türk-Thune Mission) and

will be an active participant at the forthcoming sessions of the Commission at Geneva (2 November to 4 November 1992) and CSCE high officials (5 November 1992).

4. The Government of the Republic of Croatia calls upon the United Nations Security Council to undertake an effective action of the international community in the implementation of the Vance Plan, preventing and combating the policy of "ethnic cleansing" in the territory of the former Yugoslavia and putting to an end the violations of the sanctions imposed by Security Council resolution 757 (1992) against the Federal Republic of Yugoslavia.

The Government of the Republic of Croatia calls upon States and international organizations to collate information in their possession or submitted to them relating to the violations of humanitarian law in the territory of the former Yugoslavia.

The Government of the Republic of Croatia brings to the attention of the Security Council the relevant information that has been collated by members of civil and military components of UNPROFOR, within its mandate, on the basis of their work and knowledge. I suggest, therefore, that UNPROFOR pass on the mentioned data to the United Nations for the War Crimes Commission.

(Signed) Vladimir ŠEKS
Vice-President of the
Government of the
Republic of Croatia

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LETTER DATED 5 NOVEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On 2 November 1992 a letter from the Permanent Representative of the Republic of Armenia was circulated in the United Nations as a Security Council document; annexed to that letter was a letter signed by Georgi Petrossian.

Accordingly, I have the honour to state the following:

1. Azerbaijan considers the circulation of the letter from the so-called "President of the Supreme Council of the Republic of Nagorno-Karabakh, G. Petrossian" by the Permanent Representative of the Republic of Armenia to be a gross interference in the internal affairs of a sovereign State - the Azerbaijani Republic.

2. In the territory of Azerbaijan there exists no such place as the "Nagorno-Karabakh Republic" to which reference is made in the letter. Nagorny-Karabakh is essentially a geographical concept - specifically, the name for the highland portion of the vast region of Karabakh which is under the full jurisdiction of the Azerbaijani Republic.

3. The fact of the matter is that, in an effort to wrest away a significant portion of the territory of Azerbaijan, the Republic of Armenia initially instigated a separatist movement in Azerbaijan in an attempt to exploit the principle of self-determination of peoples and thus vitiate the principle of territorial integrity and inviolability of borders. Subsequently, several thousand square kilometres of the territory of Azerbaijan, both in the highland portion of Karabakh and outside it, were occupied by an expeditionary force of the Armenian military.

4. Azerbaijan categorically rejects any attempt to introduce into United Nations usage, even in veiled form, the concept of an administrative-territorial entity which does not exist in Azerbaijan.

5. This action by the Permanent Representative of the Republic of Armenia enflames an already difficult situation and cannot advance the work of the representative of the United Nations Secretary-General sent to the region with the approval and consent of the Government of Azerbaijan to study the question of the contribution which the United Nations could make in support of the efforts of the Conference on Security and Cooperation in Europe (CSCE) to settle the military conflict between Armenia and Azerbaijan.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hassan HASSANOV
Ambassador
Permanent Representative